

**Calendar No. 226**

112TH CONGRESS  
1ST SESSION

**S. 363**

To authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2011

Mr. WICKER (for himself and Mr. COCHRAN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

NOVEMBER 8, 2011

Reported by Mr. ROCKEFELLER, without amendment

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**A BILL**

To authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXCHANGE OF NATIONAL OCEANIC AND AT-**  
 2 **MOSPHERIC ADMINISTRATION PROPERTY IN**  
 3 **PASCAGOULA, MISSISSIPPI.**

4 (a) IN GENERAL.—Notwithstanding any other provi-  
 5 sion of law, if the Secretary of Commerce determines that  
 6 it is in the best interest of the National Oceanic and At-  
 7 mospheric Administration and the Federal Government to  
 8 do so, the Secretary may convey to the City of Pascagoula,  
 9 Mississippi, by standard quitclaim deed, real property con-  
 10 sisting of parcels, or portions of parcels, under the admin-  
 11 istrative jurisdiction of the Under Secretary for Oceans  
 12 and Atmosphere, including land and improvements there-  
 13 on, within a tract roughly bounded by—

- 14 (1) Delmas Avenue to the south;
- 15 (2) Pascagoula River to the west;
- 16 (3) Pol Street to the north; and
- 17 (4) real property owned by the City of
- 18 Pascagoula to the east.

19 (b) CONSIDERATION.—

20 (1) IN GENERAL.—For a conveyance under sub-  
 21 section (a), the Secretary shall require that the  
 22 United States receive consideration of not less than  
 23 the fair market value of the property or rights con-  
 24 veyed.

25 (2) FORM.—Consideration under this sub-  
 26 section may include any combination of—

(A) property (either real or personal), including tracts of real property and buildings, owned by the City of Pascagoula, that are located in such city south of Delmas Avenue, as well as a contiguous portion of the street known as Delmas Avenue adjacent to real property under the administrative jurisdiction of the Under Secretary for Oceans and Atmosphere;

(B) cash or cash equivalents; and

(C) consideration in-kind, including—

(i) provision of space, goods, or services of benefit, including construction, repair, remodeling, or other physical improvements;

(ii) maintenance of property;

(iii) provision of office, storage, or other useable space; or

(iv) relocation services associated with conveyance of property under this section.

(3) DETERMINATION OF FAIR MARKET

VALUE.—The Secretary shall determine fair market value for purposes of paragraph (1) based on a highest- and best-use appraisal of the properties conveyed under subsection (a) conducted in conform-

1       ance with the Uniform Appraisal Standards for Pro-  
2       fessional Appraisal Practice.

3       (c) USE OF PROCEEDS.—Any amounts received  
4 under subsection (b)(2)(A) by the United States as pro-  
5 ceeds of any conveyance under this section shall be avail-  
6 able to the Secretary, subject to appropriation, for—

7           (1) activities related to the operations of, or  
8       capital improvements, to property of the Administra-  
9       tion; or

10          (2) relocation and other costs associated with  
11       the sale or exchange.

12       (d) ADDITIONAL TERMS AND CONDITIONS.—

13           (1) IN GENERAL.—The Secretary may require  
14       such additional terms and conditions with the ex-  
15       change of property by the United States under sub-  
16       section (a) as the Secretary considers appropriate to  
17       protect the interest of the United States.

18           (2) EASEMENTS OR RIGHTS OF WAY.—The Sec-  
19       retary may grant or convey to the City of  
20       Pascagoula a right of way or easement if the Sec-  
21       retary determines such grant or conveyance is in the  
22       best interest of the Administration and the Federal  
23       Government.



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